

Much of the existing confusion pertains to the legitimacy of the Hearing Committee and especially to the issue of replacements following resignations. Demands for a new Committee seem to stem from two sources: 1) A belief that the Committee unilaterally added members without attempting to consult the Black students, or 2) the feeling that even if the Committee conducted all of its affairs in a manner beyond reproach, it had failed to secure the confidence of one of the major parties and should therefore, on pragmatic grounds, be replaced.

While a chronology of the case has been published, it did not go beyond a mere outline of the events. It is important that all members of the University community have access to the available relevant documentation. This flyer is intended to meet that need, in part.

The first disturbance to the composition of the original Committee came with the tendered resignation of Prof. Marsden on January 10 (this resignation was later withdrawn). Marsden offered to resign, as his letter clearly states, not because of any feeling of bias but because he felt he might better serve all interests through his work as President of SGWAUT. In his letter of resignation Marsden expressed his hope that a replacement acceptable to both parties would be chosen "in the spirit of the original agreement of December 5."

The Committee then suggested that Prof. Knelman serve as Marsden's replacement and asked Vice-Principal O'Brien to attempt to secure the assent of both parties. On January 16 some of the complainants came to Committee Chairman Adamson's office and presented him with certain demands which they indicated were non-negotiable. Adamson advised them that he would attempt to schedule a meeting between themselves, Anderson and Acting Principal Clarke to "endeavour to agree on procedures and the date of the initial hearing." But on the next day they rejected this overture. They returned to Adamson's office and handed him a list of five demands which we reprint in full:

SIR GEORGE WILLIAMS UNIVERSITY

Document NO 14 b  
B STUD  
17 January 1968

MEMORANDUM FROM

TO MR. Adamson (2)

From Black Students

- ① Les Bentley is on the Committee
- ② The hearing is set for 2 p.m. on Sunday Jan 26<sup>th</sup> 2nd a.b. room
- ③ The hearing will be open
- ④ Sean Flynn, Sean Madras, John Hughes, Dr. McLeod present
- ⑤ Judgment on the same day.



Note especially, "Leo Bertley is on the Committee" (our emphasis). The character of Mr. Bertley, a high school teacher and evening student, is not in question any more than that of Knelman. But it is at this point that the spirit of the original agreement is violated as one party unilaterally attempted to impose its will on the Committee. One more thing should be noted about the demand for Bertley's inclusion. The Black students were thus challenging the original concept of a hearing to be conducted by Anderson's peers. Huey Newton and the Black Panthers have vigorously fought for this right and so too have Canadian University teachers in their battles with administrators.

Negotiations continued, although, it is rather difficult to attempt to negotiate non-negotiable demands. These attempts collapsed on January 20. A further communication from the complainants demonstrated, once again, that they were telling the Committee how to run the hearings:

*Document No 21*  
TEL. 878-4500

B STUD



STUDENT UNION  
UNION DES ETUDIANTS

SIR GEORGE WILLIAMS UNIVERSITY  
MONTREAL, QUEBEC

20th January 1969.

Dear Sir/Madam,

You are invited to attend an open hearing on Sunday January 26th at 1.30 p.m. in room H-110 at Sir George Williams University.

The purpose of this hearing is to judge the case of Racial Discrimination involving Assistant Professor Anderson of the Biology Department and the Black Students.

After meeting with Professor Adamson, Davis, and Bayne, we are convinced that these three men are incapable of judging the case impartially.

In keeping with this latest development, the black students have decided that Leo Bertley, Professor Menon and Miss Margaret St. Jour, replace the above mentioned names.

Yours Respectfully,  
*Valerie Delgore*  
For Students.  
Secretary Caribbean  
Society.

cc F.K. Menon  
Principal D.B. Clark  
Dean Madras  
Dean Flynn  
Dr. McLeod  
Prof A. Adamson.

Note that the complainants were replacing Profs. Adamson, Bayne and Davis, before any of them had resigned. Furthermore, they carried out the substitution without consulting the other party, Prof. Anderson. Despite this step, the complainants declared on the same day that "unilateral selection of this committee is in violation of our initial agreement."

It does not surprise us to see the Black students' evident contempt for the normal practice of due process established by this University in conformity with the recommendations of the SGWANT. Four hundred years of white injustice leaves its mark in suspicion and distrust. Yet while such an understanding restrains us from charging bad faith, it does not restrain us from criticism. Blind trust indicates not friendship but paternalism and sycophancy.

Hopefully, this information answers those who question the Committee's "unilateral actions" but there are also the pragmatists who would abolish the Committee to satisfy one party to the dispute. Please remember that there are two major parties to the case -- the Black students and Anderson. The third, non-contesting party, the University has expressed its willingness to abolish the Committee if a new one is first agreed upon, by both contestants. We have no faith that it would be any easier to construct a new committee than it was to maintain the old. Immediate abolition of the present Committee without an agreed substitute would leave Anderson in limbo.

Yet, this may all be partially irrelevant. The Hearing Committee has probably completed its public work and will soon make its recommendations. Either contestant has then the right to utilize an appeal function to an external committee whose membership can be selected by the parties concerned. The procedure is there to be used. Let us all carefully observe both parties to see if every effort is made to reach mutually acceptable solutions.

And let us hope that information will be more quickly forthcoming than it has been in the present case. Without it, we may all be misled once more.

Distributed by the Faculty Committee for Information  
c/o Professors John Laffey and Stephen Scheinberg